Mr. Aikin then moved to reconsider the vote by which the main question was ordered.

The motion to reconsider prevailed. Question—Shall the amendment by Mr. Farmer be adopted?

### ADJOURNMENT

On motion of Mrs. Moore, the House, at 12:15 o'clock p. m., adjourned until 10 o'clock a. m., Monday, February 25.

### APPENDIX

### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Conservation and Reclamation: House Bill No. 77.

Criminal Jurisprudence: House Bills Nos. 422 and 564.

Highways and Motor Traffic: House Bills Nos. 190, 270, 307, and 449.

Insurance: House Bills Nos. 305 and 454.

Judiciary: House Bills Nos. 206, 420, 448, 453, 468, and 511.

Oil, Gas, and Mining: House Bill No. 89.

State Affairs: House Concurrent Resolution No. 31; Senate Bill No. 146, and House Bills Nos. 286, 301, and 459.

### TWENTY-EIGHTH DAY

(Monday, February 25, 1935)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker Adamson	Butler of Brazos Butler of Karnes
<u>Aikin</u>	Cagle
Alexander	Caldwell
Alsup	Canon
Ash	Celaya
Atchison	Clayton
Beck	Collins
Bergman	Colquitt
Bourne	Colson
Bradbury	Cooper
Bradford	Cowley
Broyles	Craddock
Burton	Crossley

Daniel Lindsey Davis Lucas Davison of Fisher Luker Davisson Mauritz of Eastland McCalla Dunagan McConnell Dunlap of Hays McFarland Dunlap of Kleberg McKee Duvall McKinney Dwyer Moffett England Moore Fain Morris Morrison Farmer Fisher Morse Ford Newton Fox Nicholson Frazer **Padgett** Fuchs Palmer Gibson Patterson Glass Payne Good Petsch Graves Pope Quinn Gray Greathouse Reader Reed of Bowie Hankamer Hardin Reed of Dallas Harris of Archer Riddle Harris of Dallas Roach of Angelina Hartzog Roach of Hunt Head Roane Herzik Roark Hodges Roberts Hofheinz Rogers Holland Russell Howard Rutta Huddleston Scarborough Hunt Settle Hunter Shofner Hyder Smith Jackson Spears James Stanfield Jefferson Steward Jones of Atascosa Stinson Jones of Falls Jones of Runnels Stovall Tarwater Jones of Shelby Tennyson Jones of Wise Thornton Keefe Venable King Waggoner Walker Knetsch Lange Wells Lanning Westfall Latham Wood of Montague Young Leath Lemens Youngblood Leonard Absent—Excused

Adkins Lotief
Calvert Olsen
Dickison Tillery
Fitzwater Wood of Harrison
Hill Worley

Hoskins

A quorum was announced present. Rev. Geo. W. Coltrin, Chaplain, offered the following invocation: "Lord, Thou art good, and Thy loving kindness endureth forever. In the abundance of Thy wisdom and power will Thou be pleased to qualify us this day for the serious duties devolving upon us. In Christ's name. Amen."

## LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence on account of important business:

Mr. Lotief for today, on motion of Mr. Fuchs.

Mr. Fitzwater for today, on motion of Mr. Fuchs.

Mr. Wood of Harrison for today, on motion of Mr. Russell.

Mr. Hill for today, on motion of Mr. Reed of Dallas.

Mr. Olsen for today, on motion of Mr. Quinn.

The following members were granted leaves of absence on account of illness:

Mr. Worley for today, on motion of Mr. Hyder.

Mr. Hoskins for today, on motion of Mr. Canon.

Mr. Calvert for today, on motion of Mr. Cowley.

Mr. Tillery for today on account of illness in his family, on motion of Mr. Leonard.

### HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Fisher:

H. B. No. 629, A bill to be entitled "An Act authorizing defendants in felony cases less than capital offenses to waive right of trial by jury and to be tried by the court, amending Section 1, Senate Bill No. 53, Chapter 43, page 65, Acts Regular Session, Forty-second Legislature, and Articles 11 and 12 of the Code of Criminal Procedure of the State of Texas, as amended by Chapter 43, Acts of Regular Session, Forty-second Legislature, and declaring an emergency."

Referred to Committee on Criminal gency."

Jurisprudence.

By Mr. Lange:

H. B. No. 630, A bill to be entitled "An Act simplifying procedure in construction and financing of public works projects and authorizing any county, city, town, water control and improvement district, water improvement district, irrigation district, conservation and reclamation district, navigation district, road district, or school district, to accept grants from any Federal agency in connection with a public works project, to make contracts relating thereto and award contracts thereon; to sell bonds at private sale to Federal Government: to issue interim certificates and other temporary obligations; to include certain items as preliminary expense in cost of public works projects; construing the Act; providing if any provision of Act is held invalid it shall not affect other provisions; limiting term during which Act shall be in effect, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Lange:

H. B. No. 631, A bill to be entitled "An Act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation, and maintenance of revenue-producing undertakings by any incorporated city or town; authorizing and regulating the issuance of revenue bonds for financing such undertakings; and providing for the payment of such bonds and the rights of holders thereof, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Lange:

H. B. No. 632, A bill to be entitled "An Act providing that all bonds, notes, or warrants heretofore issued or which have been authorized but not yet issued, or which may be hereafter issued under the provisions of Articles 1111 to 1118, inclusive, Revised Civil Statutes of Texas for 1925, including all amendments thereto, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administration of Public Works shall be negotiable instruments, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Lange:

H. B. No. 633, A bill to be entitled "An Act to amend Article 704, Revised Civil Statutes of Texas of 1925, so as to provide that the election order shall designate the time and place of holding the election; that such election shall be held not less than fifteen or not more than thirty days from the date of such order and that notice shall be given by posting a copy of the election order in each election precinct not less than fourteen days before the election, and, in addition, shall be published on the same day in each of two successive weeks in a newspaper of general circulation published within said county or city, the date of the first publication to be not less than fourteen days before the date set for the election; and to provide that this Act shall control over any provisions in any city charter to the contrary, and declaring an emergency."

Referred to Committee on Judiciary.

## By Mr. Lange:

H. B. No. 634, A bill to be entitled "An Act amending Section 2 of Chapter 109, Acts of the First Called Session of the Forty-third Legislature, by providing that negotiable warrants and obligations issued under Subdivision (b) thereof may be sold for not less than par value to the Federal Government, etc., and declaring an emergency."

Referred to Committee on Judiciary.

# By Mr. Lange:

H. B. No. 635, A bill to be entitled "An Act validating, ratifying, approving, and confirming bonds and other instruments or obligations heretofore issued by water control and improvement district, water improvement district, irrigation district, conservation and reclamation district, navigation district, road district, school district, county, city, or incorporated town of this State for public works projects, and declaring an emergency."

Referred to Committee on Judiciary.

# By Mr. Lange:

H. B. No. 636, A bill to be entitled "An Act validating and approving all proceedings had by cities and towns in the issuance and sale of revenue obligations under the provi- the College of Industrial Arts, and

sive, Revised Civil Statutes of 1925, as amended to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administrator of Public Works, or any other governmental agency, declaring that such bonds, notes, or warrants shall be valid and binding special obligations of such cities or towns, and validating the pledge of revenues to the payment of said bonds, and declaring an emergency.

Referred to Committee on Judiciary.

### By Mr. Lange:

H. B. No. 637, A bill to be entitled "An Act validating and approving all acts of the governing bodies of cities and towns of the State of Texas in the issuance and sale of bonds, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administration of Public Works or other agency of the United States Government; validating such bonds and the tax levies made for the payment of such bonds, and declaring an emergency.'

Referred to Committee on Judiciary.

### By Mr. Lange:

H. B. No. 638, A bill to be entitled "An Act validating all school districts heretofore established, validating all elections and the levy of taxes by school districts, validating all proceedings had in the issuance of bonds and the levying of taxes therefor, validating bonds heretofore authorized or voted but not yet issued when such bonds are to be used in financing any undertaking for which a loan or grant has been made through the Federal-Emergency Administrator of Public Works, etc., and declaring an emergency."

Referred to Committee on Judiciary.

### By Mr. Lange:

H. B. No. 639, A bill to be entitled "An Act validating, legalizing, and approving severally all the acts of the Board of Regents of the University, of Texas, the Board of Directors of the Agricultural and Mechanical College, the Board of Directors of the Technological Texas College, Board of Regents of the State Teachers College, the Board of Regents of sions of Articles 1111 to 1118, inclu- the Board of Directors of the College of Arts and Industries, in the authorization and issuance of bonds, notes, or warrants heretofore issued or that have heretofore been authorized but not yet issued, validating and approving the pledge of revenues to the payment of said bonds, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Stinson (by request):

H. B. No. 640, A bill to be entitled "An Act to provide for the compulsory examination as to defective sight and hearing of school children between the ages of six and eighteen at least once a year, and declaring an emergency."

Referred to Committee on Public

Health.

By Mr. Stevenson and Mr. Petsch:

H. B. No. 641, A bill to be entitled "An Act to prohibit the taking of fish in Kimble, Kerr, Edwards, Real, Sutton, Bandera, Mason, Menard, Blanco, Llano, Kendall, or Gillespie Counties with any device equipped with more than two hooks, except artificial bait used with a rod and reel and excepting a twenty-foot minnow seine for the purpose of taking minnows for bait; providing size limits and bag limits for fish taken in said counties, etc., and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. McCalla:

H. B. No. 642, A bill to be entitled "An Act to amend Article 3430 of the Revised Civil Statutes of Texas, 1925, so as to provide that in addition to the other powers of executors or administrators they shall have the power, upon the proper order of the court, to compromise or pay secured claims which have been allowed and approved as required by law against the estate by conveying the real estate securing the payment of the claim to the holder thereof in full payment, liquidation, and satisfaction of such claim, and the cancellation of any and all notes, deeds of trust, mortgages, or other liens evidencing or securing the payment of such claim, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. McCalla:

H. B. No. 643, A bill to be entitled

the Revised Civil Statutes of Texas. 1925, as amended by Acts of 1929. Forty-first Legislature, page Chapter 29, Section 2, by adding thereto a provision that where the sale of real estate is made to the owner or holder of a secured claim in full payment, liquidation, and satisfaction thereof no bond shall be required except for the amount of cash actually received by such executor or administrator in excess of the amount necessary to pay, liquidate, and satisfy such claim in full, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. McCalla:

H. B. No. 644, A bill to be entitled "An Act to amend Article 4201 of the Revised Civil Statutes of Texas, 1925, by adding to paragraph 4 of said article a provision that where the sale of real estate is made, or to be made, to the owner or holder of a secured claim in full payment, liquidation, and satisfaction thereof, no bond shall be required except for the amount of cash, if any, actually received by such guardian in excess of the amount necessary to pay, liquidate, and satisfy such claim in full, and declaring an emergency.'

Referred to Committee on Judiciary.

By Mr. McCalla:

H. B. No. 645, A bill to be entitled "An Act to amend Article 3521, Title 54, Revised Civil Statutes of the State of Texas, revision of 1925, and declaring an emergency.'

Referred to Committee on Judiciary.

By Mr. McCalla:

H. B. No. 646, A bill to be entitled "An Act to amend Article 3417, Title 54, of the Revised Civil Statutes of the State of Texas, revision of 1925, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. McCalla:

H. B. No. 647, A bill to be entitled "An Act to amend Article 3420, Title 54 of the Revised Civil Statutes of the State of Texas, revision of 1925, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. McCalla:

H. B. No. 648, A bill to be entitled "An Act to amend Article 3576 of "An Act to repeal Article 3316, Title 54, of the Revised Civil Statutes of the State of Texas, revision of 1925, and declaring an emergency."

Referred to Committee on Judiciary.

### By Mr. McCalla:

H. B. No. 649, A bill to be entitled "An Act to amend Article 3317, Title 54, of the Revised Civil Statutes of the State of Texas, revision of 1925, and declaring an emergency."

Referred to Committee on Judiciary.

# By Mr. McCalla:

H. B. No. 650, A bill to be entitled "An Act to amend Article 3476, Title 54, of the Revised Civil Statutes of the State of Texas, revision of 1925, and declaring an emergency."

Referred to Committee on Judiciary.

## By Mr. McCalla:

H. B. No. 651, A bill to be entitled "An Act to amend Article 4115, Title 69, of the Revised Statutes of the State of Texas, revision of 1925, and declaring an emergency."

Referred to Committee on Judiciary.

# By Mr. McCalla:

H. B. No. 652, A bill to be entitled "An Act to amend Article 4231, Title 69, of the Revised Statutes of Texas, revision of 1925, and declaring an emergency."

Referred to Committee on Judiciary.

### By Mr. McCalla:

H. B. No. 653, A bill to be entitled "An Act to amend Article 4291, Title 69, of the Revised Statutes of Texas, revision of 1925, and declaring an emergency."

Referred to Committee on Judiciary.

### By Mr. McCalla:

H. B. No. 654, A bill to be entitled "An Act to amend Article 4299, Title 69, of the Revised Civil Statutes of the State of Texas, revision of 1925, and declaring an emergency."

Referred to Committee on Judiciary.

## By Mr. Settle:

H. B. No. 655, A bill to be entitled "An Act to amend Article 4769, Title 78, Chapter 4, of the Revised Civil Statutes of 1925, relating to gross receipts tax of life insurance companies, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

### By Mr. Hill:

H. B. No. 656, A bill to be entitled "An Act fixing the maximum amount of fees officers can receive and retain under provisions of the Maximum Fee Bill in counties having a population of not less than twenty-three thousand (23,000) nor more than twenty-three thousand and seventy-five (23,075), according to the last preceding Federal Census, and which has a tax valuation exceeding twenty-five million dollars, according to the last approved tax rolls of the county, and declaring an emergency."

Referred to Committee on Counties.

### By Mr. Leonard:

H. B. No. 657, A bill to be entitled "An Act amending Section 19 of House Bill No. 623, Chapter 180, Acts of Forty-third Legislature, Regular Session, and declaring an emergency."

Referred to Committee on Agriculture.

### By Mr. Leonard:

H. B. No. 658, A bill to be entitled "An Act to amend Article 5751, Title 93, of the Revised Civil Statutes of Texas of 1925, by adding a provision for an alternative method of removing officers or directors of marketing associations, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Bradbury and Mr. Westfall:

H. B. No. 659, A bill to be entitled "An Act amending Article 7073, Revised Civil Statutes of 1925, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

# By Mr. Bradbury and Mr. West-

H. B. No. 660, A bill to be entitled "An Act amending Article 7070, Revised Civil Statutes of 1925, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

# By Mr. Westfall and Mr. Bradbury:

H. B. No. 661, A bill to be entitled "An Act amending Article 7059, of the Revised Civil Statutes of 1925, and declaring an emergency."

Referred to Committee on Revenue

and Taxation.

By Mr. Westfall and Mr. Bradbury:

H. B. No. 662, A bill to be entitled "An Act amending Article 7172 of the Revised Civil Statutes of 1925, by providing that the tax lien on land shall be paramount and superior to all liens, charges, or rights, whether created before or after the tax lien attaches, and making the provisions applicable to school districts, and all other taxing agencies of the State, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Westfall and Mr. Bradbury:

H. B. No. 663, A bill to be entitled "An Act to better secure the public revenue by providing that the tax liens provided by the Constitution and statutes of the State to secure ad valorem taxes on oil, gas, or other minerals in place, or upon any leasehold interest therein and/or any personal property or equipment used in connection therewith, shall, after taxes thereon become delinquent, attach and extend to all wells, personal property and equipment located on said land, as well as the minerals in place, and to the mineral estate owner's share of such minerals, and providing that such lien shall be paramount to all other rights and liens, etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Bradbury:

H. B. No. 664, A bill to be entitled "An Act amending Article 7269 of the Revised Civil Statutes of the State of Texas, 1925, by providing that in cases of bankruptcy, receivership, that all taxes shall be a first lien on all property, and requiring fiduciaries and courts to see taxes paid, and extending such right to cities, towns, school districts, and all other taxing subdivisions of the State, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Westfall and Mr. Bradbury:

H. B. No. 665, A bill to be entitled "An Act to amend Article 7061, Revised Civil Statutes of 1925, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Westfall and Mr. Bradbury:

H. B. No. 666, A bill to be entitled "An Act making applicable and available to school districts and municipal corporations which have power to levy and or collect their own taxes all of the provisions of Title 122 of the Revised Civil Statutes of Texas, 1925, pertaining to the manner of assessment and collection of taxes and enforcement of collection of delinquent taxes, together with all liens, rights, and remedies therein given to the State and county, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Davisson of Eastland:

H. B. No. 667, A bill to be entitled "An Act to prohibit persons from letting turkeys run at large; prescribing a penalty, and declaring an emergency."

Referred to Committee on Live Stock and Stock Raising.

By Mr. Pope:

H. B. No. 668, A bill to be entitled "An Act governing the use of pasture or grazing land owned by two or more parties under one fence or enclosure, providing for the recovering of damages, punishment and penalties, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

# HOUSE JOINT RESOLUTION ON FIRST READING

The following House joint resolution, introduced today, was laid before the House, read first time, and referred to the appropriate committee as follows:

By Mr. Alexander, Mr. Harris of Archer, Mr. Cagle, Mr. Worley, Mr. Moffett, and Mr. Tennyson:

H. J. R. No. 42, Proposing an amendment to Section 11, Article IV, of the Constitution of Texas; creating the Board of Pardons and Paroles, and providing for its appointment; providing for the filling of vacancies; prescribing the power of the Governor and said board in regard to pardons, commutations, reprieves, and remission of fines and forfeitures, etc."

Referred to Committee on Constitutional Amendments.

### ADDITIONAL SIGNERS HOUSE BILL NO. 527

On motion of Mr. Ash, by unanimous consent of the House, the following members were authorized to sign House Bill No. 527:

Messrs. Payne, Ash, Palmer, Jones of Falls, Celaya, Stovall, Huddleston, King, Dunlap of Hays, Hoskins, Fox, Jones of Shelby, McKee, Tarwater, Stanfield, Worley, Wood of Harrison, Gibson, Latham, Riddle, Padgett, and Cowley.

### RELATIVE TO HOUSE BILL NO. 520

Mr. Patterson moved to reconsider the vote by which the motion, that House Bill No. 520, reported adversely with a minority favorable report, be printed, was lost, and asked to have the motion to reconsider spread on the Journal.

# DESIGNATING "ROOSEVELT DAY"

Mr. Rutta offered the following resolution:

H. C. R. No. 39, Designating March 4 as "Roosevelt Day."

Whereas, On March 4, 1933, after the overwhelming victory of the "Forgotten Man," that outstanding Democrat, patriot and statesman, the Hon. Franklin Delano Roosevelt, was inaugurated President of the United States: and

Whereas, At the time of his inauguration our beloved Nation was in the midst of the most severe economic and industrial dislocation since its ascendancy into the constellation of the nations of the world; and

Whereas, His inauguration, like sunshine dispelling darkness, dispelled the clouds of darkness and despair which hovered over all the land and revived hope in the hearts of the resolution: "Forgotten Man of America"; and

Whereas, Great strides toward complete national economic and industrial recovery and social security have been made by the National Administration since his inauguration under his peerless leadership; and

Whereas, He is the last President to be inaugurated on March 4; and

Whereas, The great Democratic State of Texas rolled up the largest majority of votes for the Democratic proper and desirable that these words

Party of any State in the Union at that memorable election, and the citizenship of the Lone Star State recognizes the daring courage and determination of President Roosevelt to keep faith with the "Forgotten Man" and to promote the common good; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring. That March 4 of this year be designated "Roosevelt Day," and that we befittingly observe that day with proper exercises in recognition of the services of Hon. Franklin Delano Roosevelt for our Democratic Party and for the common welfare of all, and that a Joint Session of the Senate and House of Representatives of Texas be held at 11 o'clock a. m., on March 4; that a committee consisting of three members of the Senate be appointed by the Lieutenant Governor, and five members of the House of Representatives, be appointed by the Speaker thereof, to make suitable arrangements for such observation of "Roosevelt Day"; be it further

Resolved by the House of Representatives, the Senate concurring, That copies of this resolution, under the seal of the House and Senate of Texas, be delivered to His Excellency, Franklin Delano Roosevelt, President of the United States, and Hon. James A. Farley, chairman of the National Executive Committee of the Democratic Party.

> RUTTA, WOOD of Harrison, WOOD of Montague, JONES of Wise. BURTON.

The resolution was read second time, and was adopted.

### CONCERNING PRAYERS BY CHAPLAIN

Mr. Leonard offered the following

Whereas, The Chaplain of the House of Representatives, the Rev. George W. Coltrin, is one who is amply qualified by temperament and by learning for the place which he so ably fills; and

Whereas, The supplications to the Almighty, offered at the beginning of each legislative day by the Chaplain, are both pertinent and inspiring; and

Whereas, It is entirely fitting and

be preserved as a part of the record of House procedure; now, therefore,

Resolved, That the prayer at the beginning of each legislative day be reduced to writing by the Chaplain and printed in the House Journal for that day.

> LEONARD, JEFFERSON.

The resolution was read second time, and was adopted.

## ADOPTING ADDITIONAL MASCOTS

Mr. Wells offered the following resolution:

Whereas, Up to the present time several lovely and charming young daughters of Representatives of this House have been named as Mascots; and

Whereas, We have in our midst Jeanette Gibson, daughter of the Hon. Merritt Gibson, member of the House of Representatives; therefore, be it

Resolved by the House of Representatives, That Jeanette Gibson be added to the list of Mascots of this House and that her name be placed on the list and her picture appear in the group picture of the members of this House.

> WELLS, MORSE.

The resolution was read second

On motion of Mr. Jefferson, by unanimous consent of the House, the name of Franklin Spears, Jr., was added to the resolution, as an additional Mascot.

The resolution was then adopted.

### CONCERNING CONSIDERATION OF CORRECTIVE AND UN-CONTESTED BILLS

Mr. McCalla offered the following resolution:

Whereas, There now exist on the statutes of the State of Texas some laws which have become obsolete and some which have been held invalid by the decisions of the courts of this State: and

Whereas, There now exist some this State, due in some measure to days; and amendment of one statute dealing with a given subject while another of Representatives deeply sympathize

statute on the same subject was not amended to conform; and

Whereas, A considerable number of bills have been introduced and are now pending in this House looking toward correction of this condition, many of them having been prepared by the Hon. E. T. Branch of Houston, Harris County, Texas, a member of the commission to recodify the statutes of Texas in 1925, who undertook this task for the sole purpose of clarifying the laws of our State; and

Whereas, These measures are not controversial and are purely corrective; now, therefore, be it

Resolved by the House of Representatives of the Forty-fourth Legislature, That the Speaker name a Committee on Corrective and Uncontested Bills; that members who have introduced such measures shall furnish to this committee the number of said bills; that said committee examine each of said bills and, if desired, hear the author of each said bill and, if in the opinion of said committee a bill be found to be corrective and/or uncontested, said committee so report to this House; and be it further

Resolved, That at the expiration of forty-five legislative days of this Session, a day, or part thereof, or so many days or parts thereof as may be necessary, be set aside by the House, at the suggestion of this said committee, for the consideration of said corrective and uncontested bills; and be it further

Resolved, That this House, by the adoption of this resolution, express its thanks to the Hon. E. T. Branch for his endeavors in this behalf.

The resolution was read second time.

On motion of Mr. Wells, the resolution was referred to the Committee on Rules.

### EXTENDING SYMPATHY OF THE HOUSE TO HON. EUGENE WORLEY

Mr. Lemens offered the following resolution:

Whereas, Our fellow member, Hon. Eugene Worley, is suffering from an acute illness; and

Whereas, Mr. Worley will remain conflicts among the various statutes of | in the Seton Infirmary for several

Whereas, The members of the House

with Mr. Worley in his misfortune; therefore, be it

Resolved, That the House of Representatives extend sympathy to Mr. Worley and best wishes for a speedy and complete recovery; and be it further

Resolved, That suitable flowers be sent to Mr. Worley, bearing the card of the House of Representatives; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the House to Mr. Worley.

LEMENS, FAIN, JONES of Atascosa, DAVIS.

The resolution was read second time.

Signed—Stevenson, Speaker; Adamson, Adkins, Aikin, Alexander, Alsup, Ash, Atchison, Beck, Bergman, Bourne, Bradbury, Bradford, Broyles, Burton, Butler of Brazos, Butler of Karnes, Cagle, Caldwell, Calvert, Canon, Celaya, Clayton, Collins, Colquitt, Colson, Cooper, Cowley, Craddock, Crossley, Daniel, Davison of Fisher, Davisson of Eastland, Dickison, Dunagan, Dunlap of Hays, Dunlap of Kleberg, Duvall, Dwyer, England, Farmer, Fisher, Fitzwater, Ford, Fox, Frazer, Fuchs, Gibson, Glass, Good, Graves, Gray, Greathouse, Hankamer, Hardin, Harris of Archer, Harris of Dallas, Hartzog, Head, Herzik, Hill, Hodges, Hofheinz, Holland, Hoskins, Howard, Huddleston, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Jones of Falls, Jones of Runnels, Jones of Shelby, Jones of Wise, Keefe, King, Knetsch, Lanning, Latham, Leath, Lange, Lucas, Leonard, Lotief, Lindsey, Luker, Mauritz, McCalla, McConnell, McFarland, McKee, McKinney, Moffet, Moore, Morris, Morrison, Morse, Newton, Nicholson, Olsen, Padgett, Palmer, Patterson, Payne, Petsch, Pope, Quinn, Reader, Reed of Bowie, Reed of Dallas, Riddle, Roach of Angelina, Roach of Hunt, Roane, Roark, Roberts, Rogers, Russell, Rutta, Scarborough, Smith, Settle, Shofner, Spears, Stanfield, Steward, Stinson, Stovall, Tarwater, Tennyson, Thorn-Tillery, Venable, Waggoner, Walker, Wells, Westfall, Wood of Harrison, Wood of Montague, Young, Youngblood.

On motion of Mr. Davison of Fish-ceive may be recer the names of all the members of State does its part.

the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

# RELATIVE TO THE SUSPENSION OF JOINT RULE 23

Mr. Clayton offered the following resolution:

H. C. R. No. 40, To suspend Joint Rule 23.

Be it resolved by the House, the Senate concurring, That Joint Rule 23 be suspended so that further consideration of Senate Bill No. 90 be postponed until final disposition of House Bill No. 527 by the House.

CLAYTON, BECK, PAYNE.

The resolution was read second time.

Mr. McCalla offered the following amendment to the resolution:

Amend the resolution to add House Bill No. 587 after House Bill No. 527.

> McCALLA, MORSE.

The amendment was adopted. The resolution was then adopted.

### MESSAGE FROM THE GOVERNOR

Mr. Edward Clark, secretary to the Governor, appeared at the bar of the House, and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,

Austin, Texas, February 25, 1935. To the Forty-fourth Legislature:

On February 12, 1935, I submitted to you for such attention as you might deem advisable a message from Hon. J. P. Buchanan, member of Congress, dealing with the necessity for action on the part of this State in making appropriation for maintenance of our State Parks System.

Since this message was transmitted to you the situation has become rather acute. I am in possession of telegrams from many sections of the State voicing the fear that a number of CCC camps may be withdrawn from Texas and, at least, the number which Texas might logically expect to receive may be reduced unless this State does its part.

It is my understanding that a conference is to be held in Washington this week to discuss the Texas State Parks problems and determine the allotment to Texas for the State Parks System for the next two years.

I understand that an emergency appropriation bill, House Bill No. 527, is pending before the House. I urge immediate action upon it as an emergency matter.

> Respectfully submitted, JAMES V. ALLRED, Governor of Texas.

### SENATE BILL NO. 90 ON PAS-SAGE TO THIRD READING

The Speaker laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 90, A bill to be entitled "An Act providing for the issuance of three million five hundred thousand dollars (\$3,500,000) of Texas Relief Bonds, Fourth Series, under Section 51a, of Article III, of the Constitution of Texas, and declaring an emergency";

The bill having heretofore been read second time, with committee amendment, and amendment by Mr. Farmer to the committee amendment, pending.

Mr. Tennyson moved to table the amendment by Mr. Farmer.

Question recurring on the motion to table, yeas and nays were demanded.

The motion was lost by the following vote:

### Yeas-59

Adamson Atchison Bourne Bradford	Hankamer Harris of Archer Head Herzik
Butler of Brazos	Hodges
Butler of Karnes	Hofheinz
Cagle	Holland
Celaya	Howard
Collins	Hunt
Colquitt	Hyder
Crossley	Jackson
Davis	Jones of Wise
Dunlap of Hays	King
Dunlap of Kleberg	Knetsch
Duvall	Luker
Dwyer	McCalla
England	McKee
Fisher	McKinney
Ford	Morse
Graves	Nicholson

Pope	Stänfield
Reader	Steward
Riddle	Stinson
Roane	Tennyson
Roark	Thornton
Roberts	Waggoner
Rogers	Wells
Russell	Wood of Montague
Scarborough	Young
Settle	=

### Nays-65

	Aikin	Jones of Runnels
	Ash	Jones of Shelby
	Beck	Keefe
	Bergman	Lanning
	Bradbury	Latham
	Broyles	Lemens
	Burton	Lindsey
	Caldwell	Lucas
	Canon	Mauritz
	Colson	McConnell
	Cowley	McFarland
	Craddock	Moffett
	Daniel	Мооге
	Davison of Fisher	Morris
	Davisson	Morrison
	of Eastland	Newton
	Dunagan	Padgett
ı	Fain	Palmer
	Farmer	Patterson
	Fox	Quinn
	Fuchs	Reed of Bowie
ı	Gibson	Reed of Dallas
	Glass	Roach of Angelina
	Good	Roach of Hunt
	Gray	Rutta
•	Greathouse	Shofner
	Hardin	Smith
ļ	Huddleston	Stovall
	Hunter	Tarwater
	James	Venable
	Jefferson	Walker
I	Jones of Atascosa	Westfall
	Jones of Falls	Youngblood

### Absent

Alexander	Lange
Alsup	Leath
Clayton	Leonard
Cooper	Payne
Frazer	Petsch
Harris of Dallas	Spears
Hartzog	_

### Absent-Excused

Adkins	Lotief
Calvert	Olsen
Dickison	Tillery
Fitzwater	Wood of Harrison
Hill	Worley
Hoskins	•

Question recurring on the amendment by Mr. Farmer, it was adopted. Mr. Farmer offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 90 as follows:

Add at the close of line 15, page 25, these words: "Provided, the Board of Control shall require the employment of competent persons who are on relief for the administration of this relief in preference to persons who are not on relief that these funds may be used most economically."

The amendment was adopted.

Mr. Farmer offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 90 as follows:

Add at close of line 28, page 25, these words: "Provided also, the Relief Commission may furnish farm tools to work land where the products are to be used for relief in the county where the land to be worked is situated."

Mr. Tennyson moved to table the amendment by Mr. Farmer.

Question recurring on the motion to table, yeas and nays were demanded.

The motion prevailed by the following vote:

# Yeas-112

1 (4)	
Adamson	Duvall
Aikin	Dwyer
Alsup	England
Ash	Fisher
Atchison	Ford
Bergman	Fox
Bourne	Fuchs
Bradford	Gibson
Broyles	Glass
Burton	Good
Butler of Brazos	Graves
Butler of Karnes	Gray
Cagle	Hankamer
Caldwell	Hardin
Canon	Harris of Archer
Clayton	Harris of Dallas
Collins	Hartzog
Colquitt	Head
Cooper	Herzik
Craddock	Hodges
Crossley	Hofheinz
Daniel	Howard
Davis	Huddleston
Davison of Fisher	Hunt
Davisson	Hunter
of Eastland	Hyder
Dunlap of Hays	Jackson
Dunlap of Kleberg	James
<del>_</del>	

Jones of Atascosa Reader Jones of Falls Reed of Bowie Jones of Runnels Reed of Dallas Jones of Shelby Riddle Jones of Wise Roach of Angelina Roach of Hunt King Knetsch Roane Lanning Roberts Latham Rogers Lindsev Russell Lucas Rutta Scarborough Luker McCalla Settle McFarland Shofner McKee Stanfield McKinney Steward Moffett Stinson Moore Stovall Morris Tarwater Morrison Tennyson Morse Thornton Newton Venable Nicholson Waggoner Padgett Walker Palmer Wells Westfall Patterson Payne Wood of Montague Pope Young Quinn

### Nays—12

Beck Jefferson
Bradbury Keefe
Dunagan McConnell
Fain Roark
Farmer Smith
Greathouse Youngblood

### Absent

Alexander Leath
Celaya Lemens
Colson Leonard
Cowley Mauritz
Frazer Petsch
Holland Spears
Lange

### Absent—Excused

Adkins Lotief
Calvert Olsen
Dickison Tillery
Fitzwater Wood of Harrison
Hill Worley
Hoskins

Mr. Farmer offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 90 as follows:

Add at close of line 40, page 25: "; provided, no county administrator shall hold any other office under the State, county, or city while acting as county administrator of relief." Adamson

Hofheinz

Question recurring on the amendment by Mr. Farmer, yeas and nays were demanded.

The amendment was lost by the following vote:

Stovall Tarwater Tennyson

### Yeas-24

Aikin Head Beck Holland Jones of Shelby Bergman Bradbury Jones of Wise **Broyles** Keefe Craddock Lindsey Fain Lucas Farmer McConnell Fox Morris Gray Smith Greathouse Westfall Hardin Youngblood

# Nays-98

Howard

Ash Huddleston Atchison Hunt Bourne Hunter Bradford Hyder Burton Jackson Butler of Brazos James Butler of Karnes Jefferson Jones of Atascosa Cagle Caldwell Jones of Falls Canon King Clayton Knetsch Collins Lanning Colquitt Luker Colson McCalla McFarland Cooper McKee Cowley McKinney Crossley Moffett Daniel Davis Moore Davison of Fisher Morrison Davisson Morse of Eastland Newton **Padgett** Dunagan Palmer Dunlap of Hays Dunlap of Kleberg Patterson Payne Duvall Dwyer Pope England Quinn Reed of Bowie Fisher Reed of Dallas Ford Frazer Riddle Roach of Angelina Fuchs Roach of Hunt Gibson Glass Roane Graves Roark Roberts Hankamer Harris of Archer Rogers Harris of Dallas Russell Hartzog Rutta Herzik Scarborough Hodges Settle

Shofner

Stanfield Venable
Steward Waggoner
Stinson Walker
Stovall Wells
Tarwater Wood of Montague
Tennyson Young

### Absent

Alexander
Alsup
Celaya
Good
Jones of Runnels
Lange
Latham
Lemens
Leonard
Mauritz
Nicholson
Petsch
Reader
Spears
Leath

### Absent-Excused

Adkins Lotief
Calvert Olsen
Dickison Tillery
Fitzwater Wood of Harrison
Hill Worley
Hoskins

Mr. Reed of Bowie offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 90, page 29, line 30, by striking out the figures "one hundred dollars (\$100)," and inserting in lieu thereof the figures "fifty dollars (\$50)."

REED of Bowie, KEEFE.

Question—Shall the amendment by Mr. Reed of Bowie be adopted?

### MESSAGE FROM THE SENATE

Senate Chamber, Austin, Texas, February 25, 1935. Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 40, Suspending Joint Rule 23 so that further consideration of Senate Bill No. 90 shall be postponed until final disposition of House Bill No. 527 and House Bill No. 587.

Respectfully,

BOB BARKER,
Secretary of the Senate.

# HOUSE BILL NO. 527 ON SECOND READING

The Speaker laid before the House (in accordance with the provisions of

House Concurrent Resolution No. 40), on its second reading and passage to engrossment,

H. B. No. 527, A bill to be entitled "An Act making certain emergency appropriations out of the General Revenue of the State of Texas for the support and maintenance of the Texas State Parks Board for the balance of the fiscal year ending August 31, 1935, to cover the office expenses, traveling expenses, the purchase of two (2) light automobile station wagons for engineering and field parties and three (3) light sedans for inspectors, two survey instruments and field equipment for two (2) engineering parties, etc., and declaring an emergency.'

The bill was read second time.

Mr. Good offered the following committee amendment to the bill:

Amend House Bill No. 527 by striking out the following: "To properly mark approximately 1,500 historic places in Texas, provided by House Bill No. 95, Third Called Session of the Forty-third Legislature, and repealing all laws in conflict herewith. Total, \$45,000," and thereby changing the grand total from \$97,500 to \$36,550."

The amendment was adopted.

Mr. Good offered the following committee amendment to the bill:

Amend House Bill No. 527 by striking out all that portion thereof, beginning with the word "Salaries" and ending with the amount "\$33,200," and inserting in lieu thereof the following:

### "Salaries

Data 100	
1. Chief engineer, at \$225	
per month\$	1,350.00
2. 1 architect at \$165 per	_
month, and 1 landscape	
architect, and 1 con-	
struction superintend-	
ent, each at \$150 per	
month\$	2.790.00
3. Four technical assist-	_,
ants at \$125 each per	
month\$	3 000 00
4. Three draftsmen at \$115	0,000.00
each per month\$	2 070 00
5. One chief clerk at \$115	2,010.00
	600.00
per month\$	690.00
6. One bookkeeper at \$115	
per month\$	690.00
7. Six stenographers and	
clerks at basis of \$100	

per month, none to be

Total salaries .......\$19,050.00" The amendment was adopted.

Mr. Good offered the following committee amendment to the bill:

Amend House Bill No. 527 by striking out the amount shown on "travel expenses," which reads "\$600 per month," and inserting in lieu thereof the words and figures "\$500 per month," and the amount in the total from "\$4,800" to "\$3,000."

The amendment was adopted.

House Bill No. 527 was then passed to engrossment.

# HOUSE BILL NO. 527 ON THIRD READING

Mr. Clayton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 527 be placed on its third reading and final passage.

The motion prevailed by the following vote:

# Yeas-126

1	_
Adamson	Davisson
Aikin	of Eastland
Alsup	Dunagan
Ash ¯	Dunlap of Hays
Atchison	Dunlap of Kleberg
Beck	Duvali
Bergman	Dwyer
Bourne	England
Bradbury	Fain
Bradford	Farmer
Broyles	Fisher
Burton	Ford
Butler of Brazos	Fox
Butler of Karnes	Frazer
Cagle	Gibson
Caldwell	Glass
Canon	Graves
Celaya	Gray
Clayton	Hankamer
Collins	Hardin
Colquitt	Harris of Archer
Colson	Harris of Dallas
	Hartzog
Cooper Cowley	Head
Craddonic	
Craddock	Herzik
Crossley	Hodges
Daniel .	Hofheinz
Davis	Holland
Davison of Fisher	Howard

Huddleston Hunt Hunter Hyder Jackson James Jefferson Jones of Atascosa Jones of Falls Jones of Runnels Jones of Shelby Jones of Wise Keefe King Knetsch Lanning Latham Leath Leonard Lindsey Mauritz McCalla McConnell McFarland McKee McKinney Moffett Moore Morris Morrison Morse Nicholson Padgett Palmer Patterson	Payne Petsch Pope Quinn Reader Reed of Bowie Reed of Dallas Riddle Roach of Angelina Roach of Hunt Roark Roberts Rogers Russell Rutta Scarborough Settle Shofner Smith Spears Stanfield Steward Stinson Stovall Tarwater Tennyson Thornton Venable Waggoner Wells Westfall Wood of Montague Young Youngblood
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# Nays-5

Good Greathouse Lucas

Roane Walker

### Absent

Alexander **Fuchs** Lange

Lemens Luker Newton

# Absent-Excused

Adkins Calvert Dickison **Fitzwater** Hill Hoskins

Lotief Olsen Tillery

Wood of Harrison Worley

The Speaker then laid House Bill No. 527 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

### Yeas-120

Adamson Alsup Ash Atchison

Beck Bergman Bourne Bradbury

Bradford Broyles Burton Butler of Brazos Butler of Karnes Cagle Caldwell Canon Celaya Clayton Collins Colquitt Cooper Cowley Craddock Crossley Daniel Davis Davisson of Eastland Dunagan

Davison of Fisher Dunlap of Hays Dunlap of Kleberg Dwyer England Fain Farmer Fisher Ford

Fox Frazer Gibson Glass Graves Gray Hankamer Hardin

Harris of Archer Harris of Dallas Hartzog Head Herzik Hodges Hofheinz Holland Howard Huddleston Hunt Hunter Hyder Jackson James

Jefferson Jones of Atascosa Jones of Falls Jones of Runnels

Jones of Shelby Jones of Wise Keefe

King Knetsch Leath Leonard Lindsey McCalla McConnellMcFarland McKee McKinney Moffett Moore Morris Morrison Morse Newton Nicholson Padgett Palmer

Patterson Payne Petsch Pope Quinn Reader Reed of Bowie Reed of Dallas Riddle Roach of Angelina Roach of Hunt Roark Roberts

Rogers Russell Rutta Scarborough Settle Shofner Smith Spears Stanfield Steward Stinson Stovall Tarwater Tennyson Thornton Venable Waggoner Westfall

Wood of Montague Young Youngblood

# Nays-11

Aikin Good Greathouse Lanning Latham Lucas

Luker Mauritz Roane Walker Wells

### Absent

Alexander Colson Duvall Fuchs Lange Lemens

### Absent—Excused

Adkins Calvert Dickison Lotief Olsen Tillery

Fitzwater Wood of Harrison
Hill Worley

Hoskins

### HOUSE BILL NO. 587 ON SECOND READING

On motion of Mr. McCalla, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 587, A bill to be entitled "An Act to amend Article 2815a, Title 49, of the Revised Statutes of the State of Texas, revision of 1925, as amended by Acts of 1927, Fortieth Legislature, page 124, Chapter 82, Section 1; and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

# HOUSE BILL NO. 587 ON THIRD READING

Mr. McCalla moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 587 be placed on its third reading and final passage.

The motion prevailed by the following vote:

### Yeas-131

Adamson Clayton Aikin Collins Alsup Colquitt Ash Colson Atchison Cooper Beck Cowley Bergman Craddock Bourne Crossley Bradbury Daniel Bradford Davis Broyles Davison of Fisher Burton Davisson Butler of Brazos of Eastland Butler of Karnes Dunagan Cagle Dunlap of Hays Caldwell Dunlap of Kleberg Canon Duvall Celaya Dwyer

England McConnell Fain McFarland Farmer McKee Fisher McKinney Ford Moffett Fox Moore Frazer Morris Gibson Morrison Glass Morse Good Newton Graves Padgett Gray Palmer Greathouse Patterson Hankamer Payne Hardin Petsch Harris of Archer Pope Harris of Dallas Quinn Hartzog Reader Head Reed of Bowie Reed of Dallas Herzik Riddle Hodges Hofheinz Roach of Angelina Roach of Hunt Holland Howard Roane Huddleston Roark Hunt Roberts Hunter Rogers Hyder Russell Jackson Rutta James Scarborough Jefferson Settle Jones of Atascosa Shofner Jones of Falls Smith Jones of Runnels Spears Jones of Shelby Jones of Wise Stanfield Steward Keefe Stinson King Stovall Knetsch Tarwater

LeonardWaggonerLindseyWalkerLucasWellsLukerWestfallMauritzWood of MontagueMcCallaYoung

### Absent

Alexander Fuchs Leath

Lange

Lanning

Latham

Lemens Nicholson Youngblood

Tennyson

Thornton

Venable

### Absent—Excused

Adkins Calvert Dickison Fitzwater Hill Lotief Olsen Tillery

Wood of Harrison Worley

Hoskins

The Speaker then laid House Bill No. 587 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

### Yeas-125

Hyder Adamson Aikin Jackson Alsup James Jefferson Ash Atchison Jones of Atascosa Jones of Falls Beck Jones of Runnels Bergman Bourne Jones of Shelby Jones of Wise Bradbury Keefe Bradford **Broyles** King Burton Knetsch Butler of Brazos Lange Butler of Karnes Lanning Cagle Latham Caldwell Leath Leonard Canon Celaya Lindsey Clayton Lucas Collins Luker Colquitt Mauritz McCalla Colson McConnell Cooper Cowley McFarland Craddock McKee Crossley McKinney Moffett Daniel Davis Moore Davison of Fisher Morris Davisson Morrison of Eastland Morse Dunagan Newton Dunlap of Hays Nicholson Dunlap of Kleberg Padgett Palmer Dwyer England Patterson Fain Petsch Fisher Pope Ford Quinn Reader Fox Reed of Bowie Frazer Reed of Dallas Gibson Riddle Glass Roach of Angelina Good Roach of Hunt Graves Roark Gray Greathouse Roberts Russell Hankamer Hardin Rutta Harris of Archer Scarborough Harris of Dallas Settle Smith Head Herzik Spears Hodges Stanfield Hofheinz Steward Stinson Holland Stovall Howard Tarwater Huddleston Tennyson Hunt Thornton Hunter

Venable Wells Westfall Waggoner Walker Wood of Montague

Nays—1

Farmer

Absent.

Alexander Roane Duvall Rogers Fuchs Shofner Hartzog Young Lemens Youngblood Payne

### Absent—Excused

Adkins Lotief Calvert Olsen Dickison Tillery Wood of Harrison Fitzwater

Hill Hoskins

### ADJOURNMENT

Worley

Mr. Colquitt moved that the House adjourn until 10 o'clock a. m., tomorrow.

Mr. McCalla moved that the House recess to 10 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Colquitt, it prevailed, and the House, accordingly, at 12:10 o'clock p. m., adjourned until 10 o'clock a. m., tomorrow.

### APPENDIX

### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Appropriations: Senate Bill No. 138.

Jurisprudence: House Criminal Bills Nos. 609, 610, and 629.

Conservation and Reclamation: House Bill No. 486.

Judiciary: House Bill No. 512.

Municipal and Private Corporations: House Bill No. 171.

The Committee on Judiciary filed an adverse report on House Bill No. 324.

The Committee on Criminal Jurisprudence filed an adverse report on House Bill No. 549.